2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

7 May 2010

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Note verbale dated 6 May 2010 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General of the Conference

The Permanent Mission of Chile to the United Nations presents its compliments to the Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to refer to the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia.

The Permanent Mission of Chile kindly requests that the Outcome Document of the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, and the annex entitled "Recommendations of the Civil Society Forum on Nuclear-Weapon-Free Zones" (see attachment) be circulated as a working paper of the 2010 Review Conference.

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Attachment

Outcome Document

Second Conference of Nuclear-Weapon-Free Zones and Mongolia

New York, 30 April 2010

On the occasion of the 2010 Review Conference of the Parties to the Treaty on Non-Proliferation of Nuclear Weapons we, the States parties and signatories to the Treaties of Tlatelolco (1967), Rarotonga (1985), Bangkok (1995), Pelindaba (1996) and Central Asia (2006) which have established nuclear-weapon-free zones, as well as Mongolia — a nuclear-weapon-free State — have met for the purpose of strengthening the nuclear-weapon-free zones regimes and contributing to the nuclear disarmament and nuclear non-proliferation process, and in particular to analyse ways of cooperating that can promote the achievement of the universal goal of a nuclear-weapon-free world.

Bearing this in mind:

1. We reaffirm the validity of the Declaration of the First Conference of States Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones, adopted in Mexico on 28 April 2005;

2. We are firmly convinced that the mere existence of nuclear weapons constitutes a threat to the survival of mankind, that their use would have catastrophic consequences for life on Earth, and that the only guarantee against their use or threat of use is their total elimination;

3. We reiterate that the use or threat of use of nuclear weapons is a violation of international law and of the Charter of the United Nations, and a crime against humanity;

4. We reaffirm the urgent need to advance towards the priority goal of nuclear disarmament and the achievement of the total elimination and legally binding prohibition of nuclear weapons. In this regard, we stress that the establishment of nuclear-weapon-free zones is a major contribution to the non-proliferation efforts;

5. We reiterate our conviction that the achievement of the goal of a nuclear-weapon-free world requires the firm political will of all States, and particularly nuclear-weapon States;

6. We strongly support the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects, under strict and effective international control;

7. We express our opposition to the improvement in existing nuclear weapons and the development of new types of nuclear weapons;

8. We reaffirm the inalienable right of States to develop, research, produce and use nuclear energy for peaceful purposes without discrimination in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons;

9. We reaffirm that the Non-Proliferation Treaty remains the cornerstone of the nuclear disarmament and non-proliferation regime, which includes peaceful uses of nuclear energy, and reiterate the validity of all its principles, obligations and rights;

10. We reaffirm the importance of achieving the universality of the Non-Proliferation Treaty and a balanced and non-discriminatory implementation of its three pillars — nuclear disarmament, nuclear non-proliferation and the inalienable right to peaceful uses of nuclear energy — and urge those States that are not parties thereto to accede to the Treaty without delay and conditions as non-nuclear-weapon States;

11. Whereas we welcome some recent positive signs by some nuclear-weapon States in the disarmament field, we express our view that further concrete measures, to implement article VI of the Non-Proliferation Treaty, including the 13 practical steps enshrined in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons are necessary in order to set in motion an effective and irreversible process of nuclear disarmament that leads to a nuclear-weapon-free world. In this regard, we urge States to seize the opportunities opened by the 2010 Non-Proliferation Treaty Review Conference to adopt further decisions to progress towards nuclear disarmament;

12. We underline the importance of nuclear-weapon States reducing their nuclear arsenals with a view to their total elimination. In this connection, we recognize the recent signature by the President of the Russian Federation and the President of the United States of America of a new Strategic Arms Reduction Treaty as an important step in reducing the number of their deployed nuclear arsenals and look forward to its early entry into force. This agreement constitutes an important step forward, but only one of many necessary steps needed to achieve nuclear disarmament. We call for further deep cuts, including in the area of non-deployed and non-strategic nuclear weapons;

13. We stress that all nuclear disarmament initiatives should be irreversible, transparent and verifiable;

14. We strongly reaffirm that nuclear disarmament and non-proliferation are mutually reinforcing processes;

15. We consider that the possession of nuclear weapons brings about neither peace nor international security. While stressing the need to eliminate the role of nuclear weapons in strategic doctrines and security policies, we call upon all nuclear-weapon States to review such doctrines and policies. We take note of the United States of America's Nuclear Posture Review. We also underline that further significant doctrinal shifts by all nuclear-weapon States are urgently needed to bring us closer to a nuclear-weapon-free world;

16. We urge the nuclear-weapon States to provide the non-nuclear-weapon States with effective security assurances not to use or threaten to use nuclear weapons against them, pending the elimination of all nuclear weapons. Furthermore,

we urge the nuclear-weapon States to negotiate and conclude a treaty on universal, unconditional, and legally binding security assurances to the non-nuclear-weapon States;

17. We are convinced that the establishment of internationally recognized nuclear-weapon-free zones on the basis of agreements entered into freely among the States of the zone concerned, strengthens world and regional peace and security, reinforces the nuclear non-proliferation regime, and contributes to the achievement of nuclear disarmament;

18. We urge the nuclear-weapon States and any other State mentioned in the relevant protocols to the treaties that established nuclear-weapon-free zones that have not yet signed or ratified such protocols, to do so as a matter of priority;

19. We also urge the nuclear-weapon States that, having signed or ratified any of the relevant protocols to treaties that established nuclear-weapon-free zones, have done so with reservations and unilateral interpretative declarations, to withdraw such reservations and/or declarations;

20. We are very pleased to note that 43 years after the signing of the Treaty of Tlatelolco, which established the first zone free of nuclear weapons in a densely populated area, the number of States covered by such zones has increased;

21. We welcome the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia on 21 March 2009, the first such zone solely in the northern hemisphere and covering an area where nuclear weapons were previously based and tested, and urge the States concerned to address any outstanding issues that may affect its operation. We support the aspirations of the region to intensify efforts to address the problems associated with the safety of radioactive waste;

22. We welcome the entry into force of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) on 15 July 2009, and the steps being taken towards the establishment of the African Commission on Nuclear Energy, which would mark an important step towards attaining the objective of nuclear disarmament and non-proliferation;

23. We express full support for Mongolia's policy of institutionalizing its nuclear-weapon-free status and welcome the talks being held by this country with its two neighbours to that effect;

24. We welcome the heightened commitment of the Association of Southeast Asian Nations to preserve South-East Asia as a zone free of nuclear weapons and other weapons of mass destruction, as reaffirmed in the Association of Southeast Asian Nations Charter. We recognize the efforts of the Association of Southeast Asian Nations in promoting and strengthening the implementation of the Treaty on the South-East Asia Nuclear Weapon Free Zone as the region's contribution to achieving a nuclear-weapon-free world. We also note the progress made by the Treaty's Plan of Action (2007-2012) in sharpening the focus of regional collaboration against nuclear weapons and widening the opportunities of the Association of Southeast Asian Nations for participation in international efforts against nuclear weapons;

25. We strongly advocate for a denuclearized Korean Peninsula;

26. We also reiterate our support for the establishment — as a matter of urgency — of a nuclear-weapon-free zone in Central Europe;

27. We reiterate our support for the establishment — as a matter of urgency — of a nuclear-weapon-free zone in the Middle East, in conformity with the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to achieving the universality of the Non-Proliferation Treaty in the Middle East, and in accordance with relevant resolutions of the United Nations General Assembly;

28. We recognize the key importance of multilateralism and in particular the role played by the United Nations in the area of nuclear disarmament and non-proliferation and peaceful uses of nuclear energy and we reiterate our commitment to strengthen that role;

29. We support the United Nations Secretary-General's call in his five-point proposal on nuclear disarmament for all Non-Proliferation Treaty parties, in particular the nuclear-weapon States, to fulfil their obligation under the Treaty to undertake negotiations on effective measures leading to nuclear disarmament;

30. We recognize the fundamental role of the International Atomic Energy Agency (IAEA) in the application and verification of compliance with the international safeguards regime provided for in the Non-Proliferation Treaty and the relevant nuclear-weapon-free zone treaties as well as efforts to strengthen the effectiveness of the IAEA safeguards system. We urge all States that have not yet concluded comprehensive safeguards agreements to do so as soon as possible;

31. We urge all Member States of the Conference on Disarmament to adopt and implement a balanced and comprehensive programme of work, bearing in mind the primary role of the Conference as the single multilateral disarmament negotiating forum;

32. We reiterate our demand for the total ban of all nuclear tests and the need for reaching universal adherence to the Comprehensive Nuclear-Test-Ban Treaty, particularly by all nuclear-weapon States and Annex 2 States, and in that regard we call for the upholding and maintenance of the moratorium on such tests or any other nuclear explosions pending the entry into force of the Treaty,

33. We reiterate our deep concern over the potential serious ecological and security risks of transporting radioactive material and other dangerous wastes by sea or other navigable waters and urge all States, particularly those that transport such materials, to strengthen the international legal code as regards security and responsibility measures applicable to this mode of transportation, through the effective application of the commitments adopted within the International Atomic Energy Agency and the International Maritime Organization, and other international forums. We also urge all States to exchange information at the Government level on the transport of radioactive material and urge all States shipping radioactive materials to work with potentially affected States to address their concerns in this regard;

34. We are convinced of the benefit that the use of the resources devoted to nuclear-weapon programmes could have for humanity if they were utilized for supporting social and economic development;

35. We express our interest in promoting initiatives aiming to strengthen national capacities and education in order to increase public understanding of the dangers posed by nuclear weapons and to promote their total elimination;

36. We will continue to pursue international efforts to achieve a nuclear-weapon-free world. In this regard, we intend to foster cooperation among the nuclear-weapon-free zones to fully implement the principles and objectives of the treaties and to exchange relevant ideas and best practices in areas of mutual interest. To maintain continuity in the enhanced interaction among the nuclear-weapon-free zones generated at this Conference, we will explore, through diplomatic channels, the appropriate modalities for maintaining contact and disseminating relevant information among the nuclear-weapon-free zones during the inter-sessional period.

Declaration and recommendations for the Second Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia (30 April 2010), and the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Adopted by the Civil Society Forum for Nuclear-Weapon-Free Zones, United Nations, 29 April 2010

The citizens listed below, participants of the Civil Society Forum for Nuclear Weapon Free Zones, held on 29 April 2010 at the United Nations in New York:

1. Affirm the role that local, national and regional nuclear-weapon-free zones play in delegitimizing nuclear weapons, constraining nuclear proliferation, building cooperative security and paving the way for a nuclear-weapon-free world;

2. Express their continued support for the nuclear-weapon-free zones established in Antarctica, Latin America and the Caribbean, the Seabed, Outer Space, the South Pacific, Africa, South-East Asia, Mongolia and Central Asia;

3. Call upon all States, in particular the nuclear-weapon States, to fully respect existing nuclear-weapon-free zones, including to ratify the respective protocols and remove reservations to current ratifications, in order to guarantee the zones remain free of nuclear weapons and the threat of their use;

4. Support the exploration of possibilities for establishing nuclear-weapon-free zones in the Middle East, North-East Asia, the Arctic and Central Europe, and call upon Governments in these regions to undertake multilateral dialogue, deliberations and negotiations to establish such zones;

5. Commend States — including Austria, Mongolia and New Zealand — which have taken national legislative measures to prohibit nuclear weapons, and encourage other national legislatures to adopt similar measures;

6. Believe that technical and financial resources dedicated to producing and deploying nuclear weapons — including most of the $100 billion global nuclear-weapons budget — should be converted for civilian purposes, including meeting United Nations Millennium Development Goals and combating climate change;

7. Support actions, whether by Governments or private investors, to divest from corporations involved in the manufacture and deployment of nuclear weapons and their delivery systems, and commend the Governments of New Zealand and Norway and cities that have undertaken such divestment actions;

8. Commend the Governments in the regional nuclear-weapon-free zones for joining together in the inaugural Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones, in Mexico in 2005 and again at the United Nations in 2010, and encourage the States parties to enhance their communication and collaboration and to establish institutional arrangements to facilitate this;

9. Encourage States parties to nuclear-weapon-free zone treaties to expand their collaboration in strengthening existing nuclear-weapon-free zones, supporting the establishment of additional zones, including single-State nuclear-weapon-free

zones, and advancing the achievement of a nuclear-weapon-free world, and commend the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean for their leadership in this area;

10. Encourage States which host foreign nuclear weapons to exercise their sovereign right to have such weapons withdrawn, enabling them to establish or join nuclear-weapon-free zones;

11. Commend United Nations Secretary-General Ban Ki-moon for his five-point plan for nuclear disarmament, which supports nuclear-weapon-free zones and proposes a number of other measures, including a call upon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to undertake negotiations on a nuclear-weapons convention or a package of agreements;

12. Call on the 2010 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference to agree to a preparatory process for a nuclear-weapons convention that would pave the way for negotiations while simultaneously advancing technical, political and legal aspects such as verification, confidence-building and diminishing the role of nuclear weapons;

13. Note that, as work proceeds to negotiate new measures leading to nuclear disarmament in all its aspects, it is vital that already-agreed measures be brought into force and implemented. Thus, commend the nuclear-weapon-free-zone States on their leadership promoting entry into force of the Comprehensive Nuclear-Test-Ban Treaty and developing its global verification system;

14. Affirm the role of civil society in the establishment of local, national and regional nuclear-weapon-free zones, and in collaborating with Governments for the achievement of a nuclear-weapon-free world.